

110TH CONGRESS
2D SESSION

H. R. 6781

To authorize the State of Virginia to petition for authorization to conduct natural gas or crude oil (or both) exploration and extraction activities in any area that is at least 50 miles beyond the coastal zone of the State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2008

Mr. GOODLATTE (for himself, Mr. CANTOR, Mr. WOLF, Mr. TOM DAVIS of Virginia, Mr. GOODE, Mr. FORBES, Mr. WITTMAN of Virginia, and Mrs. DRAKE) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the State of Virginia to petition for authorization to conduct natural gas or crude oil (or both) exploration and extraction activities in any area that is at least 50 miles beyond the coastal zone of the State, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AVAILABILITY OF CERTAIN AREAS FOR LEAS-**
2 **ING.**

3 Section 8 of the Outer Continental Shelf Lands Act
4 (43 U.S.C. 1337) is amended by adding at the end the
5 following:

6 “(q) AVAILABILITY OF CERTAIN AREAS FOR LEAS-
7 ING.—

8 “(1) DEFINITIONS.—In this subsection:

9 “(A) ATLANTIC COASTAL STATE.—The
10 term ‘Atlantic Coastal State’ means each of the
11 States of Maine, New Hampshire, Massachu-
12 setts, Connecticut, Rhode Island, Delaware,
13 New York, New Jersey, Maryland, Virginia,
14 North Carolina, South Carolina, Georgia, and
15 Florida.

16 “(B) GOVERNOR.—The term ‘Governor’
17 means the Governor of the State.

18 “(C) QUALIFIED REVENUES.—The term
19 ‘qualified revenues’ means all rentals, royalties,
20 bonus bids, and other sums due and payable to
21 the United States from leases entered into on
22 or after the date of enactment of this Act for
23 natural gas or crude oil (or both) exploration
24 and extraction activities authorized by the Sec-
25 retary under this subsection.

1 “(D) STATE.—The term ‘State’ means the
2 State of Virginia.

3 “(2) PETITION.—

4 “(A) IN GENERAL.—The Governor may
5 submit to the Secretary—

6 “(i) a petition requesting that the
7 Secretary issue leases authorizing the con-
8 duct of natural gas or crude oil (or both)
9 exploration activities only to ascertain the
10 presence or absence of a natural gas or
11 crude oil (or both) reserve in any area that
12 is at least 50 miles beyond the coastal zone
13 of the State; and

14 “(ii) if a petition for exploration by
15 the State described in clause (i) has been
16 approved in accordance with paragraph (3)
17 and the geological finding of the explo-
18 ration justifies extraction, a second petition
19 requesting that the Secretary issue leases
20 authorizing the conduct of natural gas or
21 crude oil (or both) extraction activities in
22 any area that is at least 50 miles beyond
23 the coastal zone of the State.

24 “(B) CONTENTS.—In any petition under
25 subparagraph (A), the Governor shall include a

1 detailed plan of the proposed exploration and
2 subsequent extraction activities, as applicable.

3 “(3) ACTION BY SECRETARY.—

4 “(A) IN GENERAL.—Subject to subpara-
5 graph (F), as soon as practicable after the date
6 of receipt of a petition under paragraph (2), the
7 Secretary shall approve or deny the petition.

8 “(B) REQUIREMENTS FOR EXPLO-
9 RATION.—The Secretary shall not approve a pe-
10 tition submitted under paragraph (2)(A)(i) un-
11 less the State legislature has enacted legislation
12 supporting exploration for natural gas or crude
13 oil, as applicable, in the coastal zone of the
14 State.

15 “(C) REQUIREMENTS FOR EXTRACTION.—
16 The Secretary shall not approve a petition sub-
17 mitted under paragraph (2)(A)(ii) unless the
18 State legislature has enacted legislation sup-
19 porting extraction for natural gas or crude oil,
20 as applicable, in the coastal zone of the State.

21 “(D) CONSISTENCY WITH LEGISLATION.—
22 The plan provided in the petition under para-
23 graph (2)(B) shall be consistent with the legis-
24 lation described in subparagraph (B) or (C), as
25 applicable.

1 “(E) COMMENTS FROM ATLANTIC COASTAL
2 STATES.—On receipt of a petition under para-
3 graph (2), the Secretary shall—

4 “(i) provide Atlantic Coastal States
5 with an opportunity to provide to the Sec-
6 retary comments on the petition; and

7 “(ii) take into consideration, but not
8 be bound by, any comments received under
9 clause (i).

10 “(F) CONFLICTS WITH MILITARY OPER-
11 ATIONS.—The Secretary shall not approve a pe-
12 tition for a drilling activity under this para-
13 graph if the drilling activity would conflict with
14 any military operation, as determined by the
15 Secretary of Defense.

16 “(4) DISPOSITION OF REVENUES.—Notwith-
17 standing section 9, for each applicable fiscal year,
18 the Secretary of the Treasury shall deposit—

19 “(A) 50 percent of qualified revenues in a
20 Clean Energy Fund in the Treasury, which
21 shall be established by the Secretary; and

22 “(B) 50 percent of qualified revenues in a
23 special account in the Treasury from which the
24 Secretary shall disburse—

25 “(i) 75 percent to the State;

“(ii) 12.5 percent to provide financial assistance to the State in accordance with section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8), which shall be considered income to the Land and Water Conservation Fund for purposes of section 2 of that Act (16 U.S.C. 4601–5); and

“(iii) 12.5 percent to a reserve fund to be used to mitigate for any environmental damage that occurs as a result of extraction activities authorized under this subsection, regardless of whether the damage is—

“(I) reasonably foreseeable; or

“(II) caused by negligence, natural disasters, or other acts.

“(5) LINES EXTENDING SEAWARD AND DEFINING THE STATE’S ADJACENT ZONE.—Notwithstanding the requirement that the President determine and publish projected lines under the first sentence of section 4(a)(2), for purposes of the application of that section with respect to this subsection the lines extending seaward and defining the State’s Adjacent Zone are as indicated on the map entitled

1 ‘Atlantic OCS Region State Adjacent Zones and
2 OCS Planning Areas’, dated September 2005 and on
3 file in the Office of the Director, Minerals Manage-
4 ment Service.

5 “(6) USE OF FUNDS BY VIRGINIA.—Amounts
6 paid to Virginia under paragraph (4)(B) shall be
7 used by Virginia for one or more of the following:

8 “(A) Education.

9 “(B) Transportation.

10 “(C) Reducing taxes.

11 “(D) Coastal and environmental restora-
12 tion.

13 “(E) Energy infrastructure and projects.

14 “(F) Virginia State seismic monitoring
15 programs.

16 “(G) Alternative energy development.

17 “(H) Energy efficiency and conservation.

18 “(I) Hurricane and natural disaster insur-
19 ance programs.”.

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